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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2851

Docket No. 00684.002728  
Date: July 28, 2003

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Tomoharu HASE

Application No.: 09/145,982

For: EXPOSURE APPARATUS AND DEVICE MANUFACTURING METHOD INCLUDING  
GAS PURGING OF A SPACE CONTAINING OPTICAL COMPONENTS

Filed: September 3, 1998

Group Art Unit: 2851

Examiner: H. Nguyen

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 28, 2003, of the Primary Examiner finally rejecting claims 25-67.

The item(s) checked below are appropriate.

1.  A Petition for a two month extension of time to respond to the final rejection, together with the \$410.00 extension fee under 37 C.F.R. §1.17, was filed on Monday, June 30, 2003.
2.  A Petition for an additional month extension of time to take further action, together with the \$520.00 extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
3.  Fee \$320.00
- Fee \$155.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

Enclosed

Not required (fee paid in prior appeal)

Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4.  Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5.  Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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Attorney for Applicant  
Steven E. Warner  
Registration No. 33,326

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